

10-2-12: DEVELOPMENT WITHIN A TOWN CENTER OR RESORT CENTER:

A.Intent: The purpose of the town center (TC) or resort center (RC) designation is to allow, at the discretion of Summit County, flexibility of land use, densities, site layout, and project design. Summit County shall use the specially planned area (SPA) process to consider development within identified town and resort center zone districts. This SPA process shall be used only when it is clearly demonstrated that, in doing so, substantial benefits will be derived by the residents of the Snyderville Basin by the application of the process. The burden rests upon the applicant to demonstrate that the project proposed for consideration under the SPA process is in the best interest of the general health, safety and welfare of Snyderville Basin residents.

The purpose of a town center is to provide an economically and socially viable area that reflects the mountain character of its surroundings, promotes a sense of place and community identity supporting the residents of the Snyderville Basin, separate from, but complementary to, Park City. The town center is the appropriate location in the basin for general retail uses, such as grocery stores, and for full service restaurants.

The purpose of a resort center is to promote recreation uses and resort related facilities and amenities that are appropriate to support the recreational nature of the area, enhance county and special service district tax bases, and create jobs without adversely impacting the level of service provided by the Park City School District. General retail uses serving primary residents of the Snyderville Basin are not considered appropriate in a resort center.

B.Review Process: All SPA development applications will be reviewed as major development according to chapter 3 of this title.

C.Density:

Base Density In Designated Center 1:

In all neighborhood planning areas, the base density is:

- 1 unit/40 acres on sensitive lands
- 1 unit/20 acres on developable lands

Land Use Planning Principles; Mandatory:

In order to achieve greater than base density the following land use planning principles must be met:

- Dedication and preservation of viewshed/environmental features of the area²
- Consistency with desired neighborhood character³

- Community and neighborhood recreation facilities⁴

Community Benefit Criteria; Incentives:

Density beyond base density must provide the following community benefits. The amount of additional density will be based on compliance with the following criteria:

- Environmental enhancements⁵
- Restricted affordable housing⁶
- Contribution to community trails and parks⁷
- Exceeds open space requirements for project⁸
- Tax base and economic enhancements⁹
- Compatibility with "town, resort, village design"¹⁰

Maximum Initial Threshold Density In Designated Center¹¹:

- The maximum potential density on sensitive lands is 1 unit/40 acres
- The maximum potential density on developable lands is 5 units/acre

| | Sensitive Lands | Developable Lands |
|--|--------------------|----------------------|
| Base density | 1 unit/40 acres | 1 unit/20 acres |
| Maximum initial threshold density in designated center ¹¹ | 1 unit/40 acres | 5 units/acre |

Exceptions To Maximum Density¹⁴:

Density in excess of the maximum initial threshold density in a designated center can only be considered if a proposal includes:

- Land bank and transfer of development rights¹²
- Unique public facilities and amenities exceeding project requirements¹³

Footnotes; Development Within A Town And Resort Center:

1. Base densities shall not exceed those indicated and shall be consistent with policy 3.6 of the general plan. Development projects that comply with "base density" limits require compliance only with sound project planning principles and fundamental objectives of the Snyderville Basin general plan and this title. All development must be placed in the least environmentally and visually sensitive areas within the parcel. Development on slopes of thirty percent (30%) or greater, in jurisdictional wetlands, and within 100-year floodplains is not allowed except where "specifically" permitted in this title and when consistent with the general plan. Reference shall be made to the applicable neighborhood land use plan map, the visual sensitivity guidelines of the Snyderville Basin general plan, and field observation for assessing the visual impacts of the project. Driveways and roads also shall be placed in the least sensitive parts of the site. All development must be compatible with appropriate and applicable resort, rural, and mountain design principles.
2. Preservation of viewsheds shall, when possible, include the retention of all or major portions of all meadow and hillside viewsheds, all ridgelines, and significant environmental features such as all waterways and nonjurisdictional wetlands, wildlife habitat, wildfire hazard areas, historic and cultural artifacts, and geologic features. This is to be accomplished by, among other things, minimizing the removal of vegetation from the site and the amount of over lot grading required to fit the project into the natural landscape. These important features of the predevelopment landscape shall be as identified on the applicable land use plan map or by field inspection at the time of a development application.
3. Development shall be compatible with the desired neighborhood development patterns and policies identified in the Snyderville Basin general plan and both the applicable neighborhood planning area plan and land use plan map. Minor development that exceeds base densities shall ensure economy of service delivery not only for Summit County and special service districts, but also to residents of the development. At least sixty percent (60%) of the total development parcel(s) that exceeds base density shall be maintained as open space in a manner that is consistent with the goals and objectives of this title. In certain instances, development, at the option of Summit County and when requested in writing by the developer, may make a cash in lieu of open space contribution to Summit County for the purposes of acquiring open space and open use recreation facilities at another location.
4. Development shall provide appropriate neighborhood recreation and trail facilities, in terms of location, type, and variety that meet the specific neighborhood resident demands that will be generated by the development project. The areas designated for such uses shall not simply be leftover spaces within a development. They shall be appropriate in terms of size and quality for the intended use. The specific recreation and trail facilities provided shall be adequate to satisfy the neighborhood demand. While consideration shall be given to standards established in this title, the unique characteristics of the neighborhood shall be taken into consideration in determining specific requirements. The long term care of these facilities shall be the responsibility of the developer or subsequent residents of the project. In certain instances, development with minimal units, at the option of Summit County and when requested in writing by the developer, may make a cash in lieu of facility contribution to the Snyderville Basin special recreation district to fulfill required neighborhood requirements. Written agreement approving the contribution and use of the funds shall require the consent of the Snyderville Basin special recreation district. Community contributions shall include the provision/dedication of sufficient land to accommodate public trail links/connections identified on the recreation and trails master plan. A development's contribution may occur on or off site, so long as the contribution is consistent with the intent of and serves the purpose identified in the master plan.

5. Environmental enhancements shall include, but are not limited to, programs and improvements that will enhance existing wildlife habitat, rehabilitating wetlands disturbed by various land use practices, measures to protect air quality, establishing fisheries in local streams, and other such features. Such enhancements must be compatible with the Snyderville Basin general plan and the applicable neighborhood plan. Environmental enhancements must produce benefits for the enjoyment of all residents of the Snyderville Basin. Improvements that are provided largely for the enjoyment of residents of the development and which produce only minor benefits for the general population may receive some density credit, but only to the extent that the general public benefits from the improvement.
6. Higher densities will be permitted when restricted affordable housing is provided within the project. Restricted housing must be of a type that is compatible with the neighborhood within which it is proposed. Restrictions by deed or other desired mechanism shall include appropriate sales and resale restrictions, rental rate restrictions, and other appropriate measures. The restrictions shall ensure that the dwelling units are oriented toward persons employed within Summit County and remain affordable to those employed in Summit County in perpetuity, including sales beyond the original owner. Affordable housing types and size, together with the percentage of such units provided must be compatible with and deemed appropriate by Summit County for the neighborhood in which it is proposed and meet the housing needs of the community. Before restricted affordable housing density increases are granted, the ability of the local community to absorb the number and type of units proposed must be demonstrated. It is not the intent of Summit County to create neighborhoods comprised of restricted affordable housing only.
7. Contributions for community parks and trails shall be made according to the Snyderville Basin recreation and trails master plan. Facilities "required" to meet specific neighborhood or project needs will not be considered as contributions to the communitywide system. Improvements and/or contributions must be considered appropriate and desirable by the Snyderville Basin special recreation district. The level of density incentive will relate to the value of the community benefit received from the contribution.
8. Density incentives will be granted by Summit County when a development project provides significant and meaningful open space consistent with the requirements established in policy 5.1 of the general plan, and when the amount of open space provided exceeds the required open space for the site as established in this title.
9. The potential density incentive will be partially a function of tax base and economic enhancements desired by Summit County, which may include, but are not limited to, job generation for the local labor supply; enhancements to the resort economy which may include appropriate short term accommodations and recreation amenities; significant assessed valuation increases that benefit county and special service districts; and/or significant increases in sales tax revenues to Summit County. Such projects shall be required to accommodate the unique seasonal employee housing needs of the development project in order to qualify for this measure. The development project shall be phased in a manner that ensures that tax revenues are available to Summit County and special service districts before those aspects of the project that may produce a fiscal burden on service providers are constructed. A fiscal, economic, and seasonal housing needs assessment of the project, based on assumptions approved by Summit County, will be required to demonstrate the level of enhancement generated by the project.

10. Higher densities may be permitted within those areas designated town or resort center on the applicable neighborhood land use plan map. However, to qualify for density increases under this provision, all development must comply with the appropriate design principles identified in policy 3.8 of the Snyderville Basin general plan. Furthermore, development shall be clustered at a minimum rate of approximately five (5) units per one acre so as to create an appropriate critical mass within the developed area.

11. The maximum density possible in a town and resort center shall be five (5) units per one acre unless the applicant can transfer density rights from other less desirable development locations and/or provide unique benefits to the community. Actual density could be less depending on the project's ability to promote sufficient community benefits. Density could be more if the project complies with all provisions of this section. To achieve five (5) units per one acre, Summit County will grant density increases when a development provides significant community benefits generally described in this development potential section. Areas designated as town or resort centers are not guaranteed such higher densities. Higher densities can only be achieved through the accomplishment of the community objectives. Maximum densities can only be achieved through significant accomplishment of the community objectives listed in this section. Summit County shall make a determination as to whether a developer has reasonably complied with these criteria. Moreover, the designation of a town or resort center on a land use plan map is not intended to serve as a density windfall for an individual property owner, but requires cooperation with surrounding landowners. Density will be affected by how well adjacent property owners work together to accomplish the goals of the general plan.

12. Summit County will use density incentives to encourage the transfer of development rights from a less desirable location within the Snyderville Basin to a more desirable location within the Snyderville Basin or suitable contributions of land for land bank purposes to Summit County. The incentive shall be related to the public benefit received from the transfer, but it is recognized that significant density increases may be considered to achieve density transfers. It also is recognized that sending areas vary in degree of significance to the community. The more significant the sending area the greater the incentive that will be considered. To qualify, development rights must be transferred from one parcel to another, not within the same parcel. Before a density incentive is granted, it must be demonstrated that the proposed density is appropriate in the receiving area and that a reduction of density in the sending area is appropriate and in the public interest.

13. Unique community facilities and amenities shall be considered only when it is demonstrated that the improvements or land contribution exceed the specific and identifiable impacts and/or needs of the project. The density shall be directly related to the value of the community benefit. Before a density incentive is granted, however, it also must be demonstrated that there is a need for the proposed improvements; that the improvements or land are needed or desired at the proposed location; that the land is appropriate in size and that the terrain is appropriate to accommodate the intended use; and the improvement is compatible with the surrounding neighborhood. Such benefits may include structured parking when it will result in the preservation of additional and desirable open space, school sites, trail underpass/overpass; public buildings; the provision of alternative transportation systems and facilities, or other such improvements that are determined to be desirable under the general plan.

14. The maximum density possible in a town and resort center that has been designated on a land use plan map shall be

established in an adopted SPA plan. The density permitted shall be determined based on the level of compliance with and the degree to which the project advances the community goals established in all of these criteria. To exceed five (5) units per acre in any designated town and resort center, there shall be an appropriate amount of density transfer, as noted in footnote 13 of this section.

(Ord. 647, 9-13-2006)